

United States District Court
for
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Edwina Hope Nelson

Case Number: 2:11-00002-19

Name of Sentencing Judicial Officer: Honorable Aleta A. Trauger, U.S. District Judge

Date of Original Sentence: July 11, 2012

Original Offense: 21 U.S.C. § 846, Conspiracy to Distribute and Possess with Intent to Distribute Oxycodone, Hydrocodone, and Alpraxolam

Original Sentence: Three years' probation

Type of Supervision: Probation

Date Supervision Commenced: July 11, 2012

Assistant U.S. Attorney: Alex Little

Defense Attorney: James Thomas & Robert Peal

The Court orders:

- No Action Necessary at this Time
 Submit a Request for Modifying the Condition or Term of Supervision
 Submit a Request for Warrant or Summons
 Other

Considered this 21st day of June, 2013,
and made a part of the records in the above case.

I declare under penalty of perjury that the foregoing is true and correct.
Respectfully submitted,

Amanda M. Russell

Amanda M. Russell
U.S. Probation Officer

Place

Nashville

Date

June 20, 2013

Aleta A. Trauger
U.S. District Judge

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	<u>The defendant shall promptly advise the U.S. Probation Office of the name and contact information for any physician who prescribes any controlled substance and agrees to execute a release of information form so that medical records may be obtained from such physician.</u>

On April 19, 2013, the probation officer learned that Ms. Nelson changed pain clinics on April 11, 2013, from Spinal Pain Solutions in Harriman, Tennessee, to McMinnville Pain Clinic in McMinnville, Tennessee. Ms. Nelson reported that Spinal Pain Solutions discharged her on March 14, 2013, for testing positive for Suboxone on March 7, 2013. Ms. Nelson did not agree with the positive Suboxone result and changed clinics in order to continue to receive her medications of Oxycodone, Opana, and Valium.

2.	<u>The defendant shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</u>
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On April 30, 2013, during a routine home contact, Ms. Nelson was asked to show her prescribed medications to the probation officer. Ms. Nelson produced her Oxycodone and Opana bottles, filled by John Smith Pharmacy in Cumberland County, Tennessee, on April 25, 2013. The Oxycodone bottle was empty and only ten Opana pills remained. Ms. Nelson admitted to abusing her prescribed medications by over-taking them, but reported that the McMinnville Pain Clinic gave her a lower dosage than her last clinic and the dosage was not enough to alleviate her pain.

Compliance with Supervision Conditions and Prior Interventions:

Edwina Hope Nelson is unemployed and lives in Crossville, Tennessee. Ms. Nelson was sentenced to three years' probation on July 11, 2012, and she is due to terminate supervision on July 10, 2015.

Ms. Nelson was given a verbal reprimand on April 19, 2013, and re-instructed to notify the probation officer promptly of any change in physician and/or pharmacy who prescribes/dispenses controlled substances to her. Ms. Nelson was given a verbal reprimand on April 30, 2013, and re-instructed to not abuse her prescribed medications. She has been advised of the serious health concerns of abusing her medications and possible legal ramifications. Ms. Nelson currently participates in weekly mental health treatment at Cumberland Mountain Mental Health Center in Crossville, Tennessee.

On May 21, 2013, the probation officer met with Ms. Nelson and Debra Ward, her therapist at Cumberland Mountain Mental Health, as well as family members Ms. Nelson brought to the meeting, to discuss substance abuse treatment options. Ms. Nelson does not believe that she has a substance abuse problem and will not voluntarily enter an inpatient treatment program, as recommended by her therapist and encouraged by the probation officer.

It should also be noted that Ms. Nelson has received medications from four different pain clinics within the last year: Primary Care and Pain Clinic in Chattanooga, Tennessee, Spinal Pain Solutions in Harriman, Tennessee, McMinnville Pain Clinic in McMinnville, Tennessee, and Tennessee Interventional Pain Institute in Murfreesboro. The Primary Care and Pain Clinic was closed by the Drug Enforcement Administration. After testing positive for Suboxone at Spinal Pain Solutions in March, Ms. Nelson is having a difficult time finding another pain clinic who will treat her. She denies having a current pain clinic at this time.

U.S. Probation Officer Recommendation:

The probation officer is requesting that no additional action be taken by the Court at this time. It is recommended that Ms. Nelson remain on probation, continue to participate in mental health treatment at Cumberland Mountain Mental Health, take all medications as prescribed, and not incur any future violations.

Assistant U.S. Attorney Alex Little has been advised of the offender's noncompliance and is in agreement with this recommendation.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer